



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/600,284

06/20/2003

Steve Burns

50277-2139

9791

42425

7590

06/16/2009

HICKMAN PALERMO TRUONG & BECKER/ORACLE

2055 GATEWAY PLACE

SUITE 550

SAN JOSE, CA 95110-1083

EXAMINER

TSUI, WILSON W

ART UNIT

PAPER NUMBER

2178

MAIL DATE

DELIVERY MODE

06/16/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	Application No. 10/600,284	Applicant(s) BURNS ET AL.	
	Examiner WILSON TSUI	Art Unit 2178	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 18 May 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
 b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: _____.
 Claim(s) objected to: _____.
 Claim(s) rejected: 1-48.
 Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
 12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
 13. ☐ Other: _____.

/CESAR B PAULA/
Primary Examiner, Art Unit 2178

Continuation of 11. does NOT place the application in condition for allowance because:

The applicant first argues that Abrams does not teach "in response to a request display a page that has a page parameter, a component is inserted into that same page where the content of the component is based on the value of the page parameter."

The applicant supports the first argument by stating that "Figs. 2A and 2B of ABRAMS cannot correspond to the page of claim 1 because Figs 2A-2B show pages from which information is extracted but never inserted (i.e. the ABRAMS' HTML parser tool cannot insert anything in a page, such as CNN News, from which the tool extracts summary information/headlines)."

However, this is not persuasive since a page is requested (in this case the page of content is shown to be Figs 2A or 2B, and also shown in Fig 6, column 5, lines 45-67: whereas, the extracted content is parsed, and inserted into a tabbed display of a content page), the page of content has several page parameters (user preferences for specific portals/summaries to be instantiated, and a component/tabbed-view of summaries are inserted into the page of content 630, based upon preference data).

Furthermore, it appears the applicant is arguing that the content of the component has to be inserted into the code of the requested page. However, the claim language does not require that the content of the component has to be inserted into the code of the requested page. Thus, since Abrams teaches as shown in Figs 2A, 2B, and 6, that the content of a particular summary component is inserted into a viewable page of content via tabbed access, then Abrams still teaches the required claim limitations.

The applicant argues that in col 5, lines 45 to col. 6, lines 32, that although Abrams describes several mechanisms in which already-extracted summary information/headlines may be displayed to the user; the action of displaying extracted information to a user is completely different than inserting, into a page requested by a user, a component that is generated by a portlet (where the content of the component is based on a value for a page parameter of the page).

However, the applicant's argument is not persuasive since the display extracted information is displayed on a single page of information, and the extracted information is shown via a window or tab in a page of information, the window/tab is based upon the page preferences (column 5, lines 45-67: types of summary/portlets desired).

The applicant argues 'to exemplify the difference, consider a situation in which a user uses the ABRASM technique on a page that includes both "content A" and "content B", [and] with ABRAMS, the user can extract "content A" from the page, and have "content A" displayed to him/her. Thus, the user sees a subset of the target page. In stark contrast to ABRAMS, using technique recited in Claim 1, a user requests a page that includes both "content A" and "content B", and receives that page after "content C" has been inserted into it. Thus, the user receives a superset "A, B, and C" of the content of the target page. In Claim 1, the "content C" that is added to the page is a component that is generated by a portlet based on the value of a parameter associated with the original page.

The examiner respectfully points out that in Abrams technique, a page of content, as shown in Figure 6, is requested, the page content includes both content A/summary#1-tab#1, and content B/summary#2-tab#2, and additionally, content C/summary#3-tab#3 is added to the page of content, generated by a portlet based on the preference/summary desired (column 6, lines 1-25).

The applicant appears to be arguing that the content of data generated by the component must be inserted into a pre-existing page, which is different than what the claim language currently requires (since the current claim language does not require that the page requested must pre-exist prior to the request, and then the pre-existing page is then modified to insert a component).

The applicant argues "a dynamically generated portal view (such as the user-customized portal view in ABRAMS) is not a page with an associate page parameter, and does not have a component that is inserted into it, where the component is generated by a portlet based on a value of a page parameter of the page."

However, this argument is not persuasive, since as explained above, the generated portal view is a page of content, and the page of content is associated with preferences for tabbed views/summaries. Those tabbed views/summaries/components are inserted into the viewable page of content, based on the preference data (column 6, lines 55-67).

Again, the examiner would like to make an important suggestion, with regards to the claim language, that the applicant should look into clarifying that the page of content requested is a pre-existing page, and also that the generated component is inserted into the code of the pre-existing page; to better expedite the application.

The applicant argues that as a preliminary matter, it is noted that POLIZZI does not even mention the terms "page parameter", "portlet parameter", and "mapping", and instead the office action cites paragraphs 0030, 0032, 0033, and 0092 in a non-specific way that is not correlated to the features of claim 1.

However, as explained in the previous office action, the page parameter, the portlet parameter, and the mapping (paragraph 0092: whereas parameters can include preference data and identification data, and the portlet/code that is responsible (via a mapping) for generating a customized object/component on a page receives the data).

The applicant argues that "the content to be displayed in a particular portal page of POLIZZI is selected by a particular user and is not

generated by portlets based on the values of page parameters in that particular portal page".

However, this argument is not persuasive, since the content to be displayed in a portal page is selected by a user, that desired content selected are the parameters/settings for that particular page. Therefore, the content of the portal page is generated with respect to those settings/parameters (paragraph 0092).

The applicant argues that "the office action fails to recognize that the input provided by a user to ABRAMS HTML parser tool in order to select summary information/headlines from various web sites is completely different and separate from the user-defined organizational structure that may be used to generate HTML code for the purpose of displaying already-extracted summaries/headlines to the user.

However, this argument is not persuasive, since the summary information/headlines are parameter values specified by the user for a viewable page of content (column 5, lines 55-67). There are various ways for viewing the page of content, such as through the specification of an organizational structure. The organizational structure specifies how the summary/headline data looks/organized in a viewable page of content. Thus, although the organization of data might not be affected, the data displayed by using the organization is directly related to the user input of summary/headline preference data (column 6, lines 12-25).

The applicant further argues that "any user provided data values for selecting summary information/headlines are not used to generate HTML code that would display the extracted summary information/headlines.

However, this argument is not persuasive, and the Examiner would like to respectfully point out that the previous office action is not implying that the HTML code is directly affected by the user parameters. Rather, the previous office action explains that each tabbed display acts as a portlet of information, and the content of information displayed by the content is summary data. Since the user provided data values are necessary to obtain and generate summary/headline data, and the organization structure uses the generated summary/headline data, then the content displayed by the portlets is directly related to the user provided data values.

Again, it appears the applicant is arguing that the generated component cited in the claim language must be inserted into the code of the page. This is not required by the claim language, and should the applicant require this ability, then the examiner respectfully suggests that the applicant include this clarification in the claim language.

The applicant argues (page 9) that "since POLIZZI expressly describes that a personalized portal page is assembled from objects that are stored in a repository, the portal system in POLIZZI does not even need to use portlets that can generate content based on different values of the portlet parameters".

However, this argument is not persuasive, and the examiner respectfully explains that the claim language does not emphasize the extent of what a portal or a portlet comprises. Thus, one of ordinary skill in the art would interpret a portal as a page that provides information/content to a user. Individualized areas of content generated for a portal page are interpreted as portlets/sub-portal/subsets-of-data in a portal page.

Since Polizzi teaches that an entire portal page is assembled, then the content within the portal page is generated (paragraph 0092). Furthermore, the portal page comprises areas of personalized content within a generated portal page. Thus, since the content includes areas personalized content, in the generated for a portal page, then the code/program acting to generate personalized fragments of markup code (containing personalized content), and aggregated into a portal page; then portlets are implemented, based upon personalized values (paragraph 0092).

It appears that the applicant is arguing that each code/program acting to generate content, must be explicitly called by name. This is not required by the claim language, and should the applicant require this ability/limitation, then the examiner respectfully suggests the applicant include this clarification in the claim language to expedite the application.

Claim 18

The applicant argues that "the schedule described in POLIZZI relates to executing programs at certain times and has nothing to do with pages or page parameters".

Additionally, the applicant argues that "while paragraph 0060 of Polizzi may be describing that the execution of a program may be set in response to certain time events, the time events themselves are not described as having any particular output parameters".

However, this argument is not persuasive, and the examiner respectfully directs the applicant's attention to paragraph 0089, Fig. 10, reference 1046, which implements a configurable area of content, which can be customized by user preference/parameters for the portal page. The area shown in reference 1046, shows a dynamically updated area, that displays results of a job, such that every time the job is executed, it would be displayed in the configurable area. Thus, based upon time events for a particular page, the job is correspondingly shown and updated in 1046.

The applicant argues that POLIZZI does not teach generating and storing a mapping such as the mapping featured in claim 18.

However, this argument is not persuasive, and as explained above, the mapping data is stored preference and job parameter data, such that the appropriate output of the job is used for display in an area of content in Fig 10, reference 1046. See paragraph 0089 of POLIZZI for more details.

The applicant argues that Abrams does not teach "any determination to display the hyperlinks is made based on a mapping that maps one or more events to one or more actions and one or more event output parameters to one or more page parameters [and] in other words, the action of displaying the selected hyperlinks is what the HTML parser tool is configured to do and is thus not subject to any determinations".

However, this argument is not persuasive, and the examiner respectfully points out that the hyperlinks and text shown in pane 260 are dependent upon constraint based preference data. Thus, determinations are made.

The applicant argues that Abrams does not teach or suggest that "any mapping is inspected in the process of displaying selected hyperlinks in a pane of the GUI of the HTML parser tool" [and] Abrams expressly states that the program displays the selected hyperlinks, which suggests that any processing based on the user-specified URL is performed internally within the execution code of the application tool without the need to reference any external mapping such as the first mapping of claim 18. "

However, this argument is not persuasive, since the claim language does not specify the extent of how a mapping is external, and just that the mapping is stored and can be retrieved/referenced. Thus, it appears the applicant is arguing limitations not in the claim language and should the applicant require that the mapping being external is a particular manner, rather than simply stored, then the examiner recommends the applicant clarify this in the claim language.

Additionally, the applicant's argument that dependent claims 2-17 and 19-48 are allowable, since they depend either directly or indirectly upon the allowable independent claims; is not persuasive since the independent claims have been shown/explained to be rejected.

As mentioned above, the Examiner has provided some suggestions to clarify the claim language, in the interest of expediting the application. Should the applicant have any questions, the Examiner is open to an interview to answer those questions.